## **United States Department of Labor Employees' Compensation Appeals Board**

G.B., Appellant	)
and	Docket No. 21-0314 Sued: January 28, 2021
U.S. POSTAL SERVICE, POST OFFICE, Brooklyn, NY, Employer	) ) )
Appearances: Appellant, pro se Office of Solicitor, for the Director	Case Submitted on the Record

## **ORDER DISMISSING APPEAL**

## Before: ALEC J. KOROMILAS, Chief Judge PATRICIA H. FITZGERALD, Alternate Judge VALERIE D. EVANS-HARRELL, Alternate Judge

On December 22, 2020 appellant filed an appeal from a purported March 7, 2017 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 21-0314.

The Board, having duly considered the matter, notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.<sup>1</sup> The case record as transmitted to the Board does not contain a final adverse decision of OWCP issued within 180 days from the date of docketing of the current appeal.<sup>2</sup> The March 7, 2017 decision was a preliminary overpayment determination, not a final adverse decision. As there is no final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 21-0314 must be dismissed. Accordingly,

<sup>&</sup>lt;sup>1</sup> 5 U.S.C. § 8101 et seq.; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>&</sup>lt;sup>2</sup> 20 C.F.R. § 501.3(e) provides in pertinent part: "Any notice of appeal must be filed within 180 days from the date of issuance of a decision of the OWCP."

## IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-0314 is dismissed.

Issued: January 28, 2021 Washington, DC

> Alec J. Koromilas, Chief Judge Employees' Compensation Appeals Board

> Patricia H. Fitzgerald, Alternate Judge Employees' Compensation Appeals Board

> Valerie D. Evans-Harrell, Alternate Judge Employees' Compensation Appeals Board